

City Council  
Atlanta, Georgia

03-0-1591

A SUBSTITUTE ORDINANCE  
BY: ZONING COMMITTEE

Z-03-65  
9-9-03

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,  
as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta, Georgia be amended and the maps established in connection therewith be changed so that the following property located at **2748 Donald Lee Hollowell Parkway, N.W. (fka 2748 Bankhead Highway, N.W.)** be changed from the **C-2 (Commercial Service) & R-4 (Single-Family Residential)** Districts, to the **RG-3-C (Residential General-Sector 3-Conditional)** District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **209** of the **14<sup>th</sup>** District of **DeKalb** County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

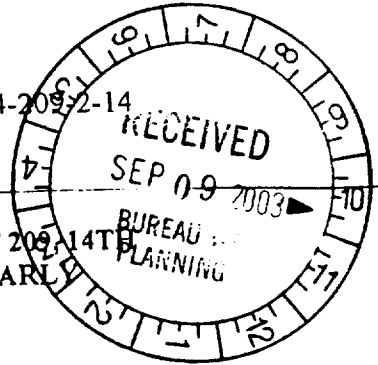
SECTION 4. That all ordinance or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

EXHIBIT "A"

2-0365

LEGAL DESCRIPTION OF PROPERTY

14-209-LL-47 ~ 14-209-2-18 ~ 14-209-2-17 ~ 14-209-2-16 ~ 14-209-2-15 ~ 14-209-2-14



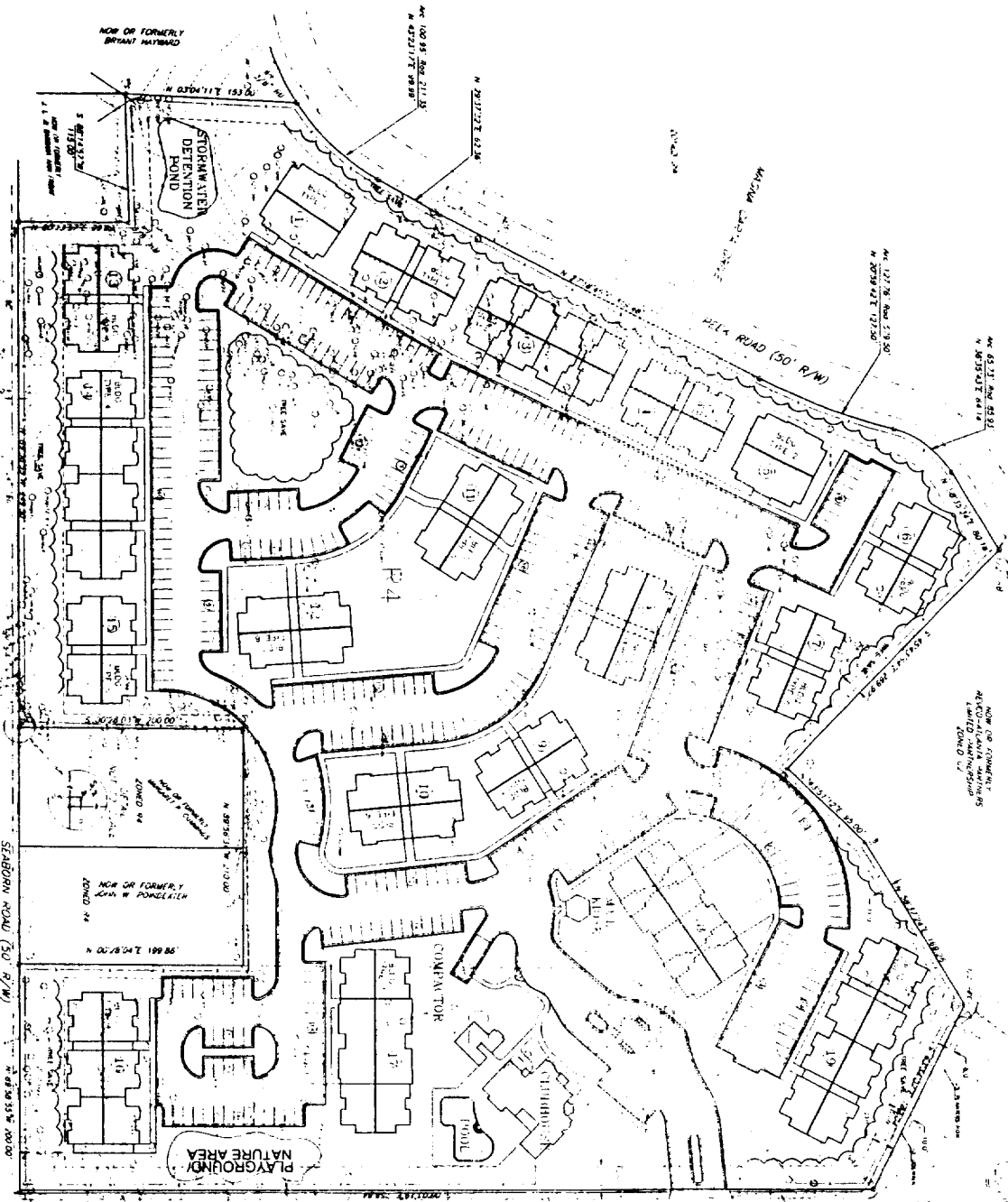
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 209, 14TH DISTRICT OF FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND AT THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERN RIGHT OF WAY OF BANKHEAD HIGHWAY AND THE WESTERN RIGHT OF WAY OF OZBURN ROAD; RUNNING THENCE SOUTH 01 DEGREE 00 MINUTES WEST 765.00 FEET TO AN IRON PIN FOUND AT THE CORNER FORMED BY THE INTERSECTION OF THE WESTERN RIGHT OF WAY OF OZBURN ROAD AND THE NORTHERN RIGHT OF WAY OF SEABORN ROAD; RUNNING THENCE NORTH 89 DEGREES 12 MINUTES 30 SECONDS WEST 200.00 FEET TO AN IRON PIN FOUND; RUNNING THENCE NORTH 01 DEGREE 00 MINUTES EAST 200.00 FEET TO AN IRON PIN FOUND; RUNNING THENCE NORTH 89 DEGREES 28 MINUTES 30 SECONDS WEST 210.00 FEET TO AN IRON PIN FOUND; RUNNING THENCE SOUTH 01 DEGREE 00 MINUTES WEST 200.00 FEET TO AN IRON PIN FOUND ON THE NORTHERN RIGHT OF WAY OF SEABORN ROAD; RUNNING THENCE NORTH 89 DEGREES 13 MINUTES WEST 449.50 FEET TO A POINT; RUNNING THENCE NORTH 02 DEGREES 56 MINUTES 12 SECONDS WEST 100.00 FEET TO A POINT; RUNNING THENCE NORTH 89 DEGREES 13 MINUTES WEST 115.00 FEET TO A POINT; RUNNING THENCE NORTH 02 DEGREES 56 MINUTES 12 SECONDS EAST 153.00 FEET TO AN IRON PIN FOUND ON THE SOUTHEASTERN RIGHT OF WAY OF PEEK ROAD; RUNNING THENCE NORTH 49

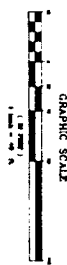
DEGREES 28 MINUTES EAST 60.00 FEET ALONG THE SOUTHEASTERN RIGHT OF WAY OF PEEK ROAD TO A POINT; CONTINUING THENCE ALONG SAID RIGHT OF WAY NORTH 33 DEGREES 13 MINUTES EAST 100.00 FEET TO A POINT; CONTINUING THENCE ALONG SAID RIGHT OF WAY NORTH 28 DEGREES 19 MINUTES EAST 300.00 FEET TO A POINT; CONTINUING THENCE ALONG SAID RIGHT OF WAY NORTH 25 DEGREES 35 MINUTES EAST 100.00 FEET TO A POINT; CONTINUING THENCE ALONG SAID RIGHT OF WAY NORTH 18 DEGREES 25 MINUTES EAST 60.00 FEET TO A POINT; CONTINUING THENCE ALONG SAID RIGHT OF WAY NORTH 39 DEGREES 02 MINUTES EAST 50.00 FEET TO A POINT; CONTINUING THENCE ALONG SAID RIGHT OF WAY NORTH 59 DEGREES 28 MINUTES EAST 90.00 FEET TO AN IRON PIN FOUND; RUNNING THENCE SOUTH 44 DEGREES 53 MINUTES 18 SECONDS WEST 244.97 FEET TO AN IRON PIN FOUND; RUNNING THENCE NORTH 59 DEGREES 28 MINUTES EAST 267.32 FEET TO AN IRON PIN FOUND ON THE SOUTHERN RIGHT OF WAY OF BANKHEAD HIGHWAY; RUNNING THENCE SOUTH 62 DEGREES 12 MINUTES EAST 178.00 FEET ALONG THE SOUTHERN RIGHT OF WAY OF BANKHEAD HIGHWAY TO THE POINT OF BEGINNING; BEING A PORTION OF THE SAME PROPERTY CONVEYED IN DEED RECORDED AT DEED BOOK 18981, PAGE 82, FULTON COUNTY, GEORGIA RECORDS; BEING PRIMARILY KNOWN AS 2748 BANKHEAD HIGHWAY, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN FULTON COUNTY, GEORGIA.

### Conditions for Z-03-65

A site plan entitled "Big Oak Apartments" by Eberly & Associates dated January 12, 2004 and marked received by the Bureau of Planning January 23, 2004.



NOTES:  
1. ALL DIMENSIONS ARE IN FEET AND INCHES.  
2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD.  
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DATE	01/12/04
DRAWN BY	TERRY OWENS
PROJECT MANAGER	KELVIN EDWARDS
SALES CHECK	

REVISIONS	DATE	DESCRIPTION



CITY COUNCIL  
ATLANTA, GEORGIA

03-0 -1591

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-03-65  
DATE FILED: 9-9-03

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ALL THAT TRACT or parcel of land lying and being in Land Lot **209** of the **14<sup>th</sup>** District, **Fulton** County, Georgia, being more particularly described by the attached legal description.

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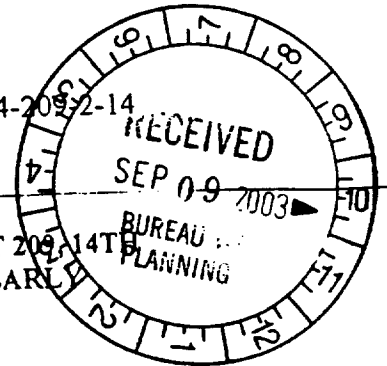
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LEGAL DESCRIPTION OF PROPERTY

14-209-LL-47 ~ 14-209-2-18 ~ 14-209-2-17 ~ 14-209-2-16 ~ 14-209-2-15 ~ 14-209-2-14



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BEGINNING AT AN IRON PIN FOUND AT THE CORNER FORMED BY THE INTERSECTION OF THE SOUTHERN RIGHT OF WAY OF BANKHEAD HIGHWAY AND THE WESTERN RIGHT OF WAY OF OZBURN ROAD; RUNNING THENCE SOUTH 01 DEGREE 00 MINUTES WEST 765.00 FEET TO AN IRON PIN FOUND AT THE CORNER FORMED BY THE INTERSECTION OF THE WESTERN RIGHT OF WAY OF OZBURN ROAD AND THE NORTHERN RIGHT OF WAY OF SEABORN ROAD; RUNNING THENCE NORTH 89 DEGREES 12 MINUTES 30 SECONDS WEST 200.00 FEET TO AN IRON PIN FOUND; RUNNING THENCE NORTH 01 DEGREE 00 MINUTES EAST 200.00 FEET TO AN IRON PIN FOUND; RUNNING THENCE NORTH 89 DEGREES 28 MINUTES 30 SECONDS WEST 210.00 FEET TO AN IRON PIN FOUND; RUNNING THENCE SOUTH 01 DEGREE 00 MINUTES WEST 200.00 FEET TO AN IRON PIN FOUND ON THE NORTHERN RIGHT OF WAY OF SEABORN ROAD; RUNNING THENCE NORTH 89 DEGREES 13 MINUTES WEST 449.50 FEET TO A POINT; RUNNING THENCE NORTH 02 DEGREES 56 MINUTES 12 SECONDS WEST 100.00 FEET TO A POINT; RUNNING THENCE NORTH 89 DEGREES 13 MINUTES WEST 115.00 FEET TO A POINT; RUNNING THENCE NORTH 02 DEGREES 56 MINUTES 12 SECONDS EAST 153.00 FEET TO AN IRON PIN FOUND ON THE SOUTHEASTERN RIGHT OF WAY OF PEEK ROAD; RUNNING THENCE NORTH 49

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RCS# 5057  
10/06/03  
2:38 PM

Atlanta City Council

Regular Session

MULTIPLE

03-O-1588, Z-03-62; 03-O-1589, Z-03-63;  
03-O-1590, Z-03-64; 03-O-1591, Z-03-65  
REF ZRB/ZONING

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

MULTIPLE